

reservation system but still requires a portion of the network bandwidth” (col. 2 lines 11-12)). The problem in Aras et al. is that “[l]ess than 100% participation limits the effectiveness of the reservation system since some portion of the network is being utilized by unreserved or non-conforming users. Second this non-conforming portion of the network fluctuates over time and thus makes it difficult to determine the amount of bandwidth available to the reservation system” (col. 1 line 66 – col. 2 line 4). Claim 1 of Aras et al. teaches “a system operable for allocating network resources to a first computer system requesting a communication path to a second computer system” (col. 13 lines 5-7). A bandwidth predictor is used “for computing a prediction if the network resources will have enough bandwidth capacity for establishing the communications path” (col. 13 lines 11-14). That is, the bandwidth predictor’s function is to determine if the communications path can be established where “the connection agent grants or denies the request as a function of the prediction” (col. 13 lines 14-15). This prediction is a “real-time predictor with a best fit statistical model” (col. 12 lines 52-53). The communications path that the bandwidth predictor seeks to establish “is to be part of non-conforming traffic within the network resources” (col. 13 lines 20-21) or a path for “traffic that does not require the reservation system” (col. 2 lines 11-12). This results in an established path if the bandwidth predictor determines that there is sufficient bandwidth capacity according to the real-time prediction but since the path is for non-conforming traffic, the path will not have reserved bandwidth.

Contrary to the examiner’s statement that all elements and limitations are disclosed in the Aras et al. reference, the means for storing available bandwidth capacity and the means for reserving link bandwidth capacity in claim 1 are not. Likewise, the steps of storing available bandwidth capacity and reserving link bandwidth capacity in claims 4 and 10; and the data store containing available bandwidth capacity and the request processor for reserving bandwidth link capacity in claim 7 are not shown in the Aras et al. reference. Since the prediction of bandwidth in Aras et al. is a “real-time predictor with a best fit statistical model” (col. 12 lines 52-53) there is no means for storing available bandwidth capacity taught in this reference. Likewise since Aras et al. deals with establishing a path for non-conforming traffic, there is no means for reserving link bandwidth capacity

taught in this reference. Accordingly, Applicant submits that the rejection of claims 1, 4, 7 and 10 is unsupported by the art and should be withdrawn. Further, since the rejection of claims 1, 4, 7 and 10 is unsupported, Applicant submits that the objection to claims 2-3, 5-6, 8-9 and 11-12 should be withdrawn.

Applicant respectfully requests that the rejection of claims 1, 4, 7 and 10 and the objection to claims 2-3, 5-6, 8-9, and 11-12 be withdrawn and that all claims 1-12 are allowable. A Notice of Allowance is earnestly solicited.

Respectfully submitted,



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